CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

JANUARY 20, 2009

INVOCATION:
Pastor Tom Williams of Lifeway Fellowship Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Cordero led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Director of Public Works/City Engineer Whitehead, Acting Director of Community Development Woods, Police Chief Macagni, Fire Chief Ortiz, Director of Utilities Sweet, Director of Administrative Services Snodgrass, Director of Recreation and Parks Posada, Planner III Halverson, Advance Planner Smith, Assistant City Attorney Sinco, Management Analyst II van de Kamp, and Chief Deputy City Clerk Perez.

VOLUNTEERS OF THE MONTH
Councilmember Zacarias presented gifts to the January Recreation and Parks Volunteers of the Month, Ron and Georgia Evey, for their dedication and commitment to helping seniors at the Elwin Mussell Senior Center and for their ready assistance at various senior events such as the Celebration of Life Luncheon and the Senior Holiday Luncheon.

PROCLAMATION – RESPECT FOR LIFE WEEK
Councilmember Patino read a proclamation declaring the week of January 18 through 23, 2009, as "Respect for Life Week" in the City of Santa Maria. The proclamation was accepted by Jan M. Rush, Chair.

PUBLIC COMMENT
Bob Ziener spoke about the Presidential Inauguration and the state of the economy. He suggested establishing a creative and innovative "think tank" in Santa Maria to help solve problems.

Sister Janet Corcoran thanked the City for beginning a pilot green waste program in Santa Maria. She talked about Marian Medical Center's green waste program. She hoped it would become a permanent program throughout the City. She also talked about affordable health care for everyone.

Paula James asked Mayor Lavagnino to send her the web site they spoke about before Christmas.

Joan Leon, Santa Maria Community Coalition, spoke regarding Item 3G on the Consent Agenda, Uniform Rules for Agricultural Preserves. She quoted several sections of the document and said they objected to the City's policy to oppose landowners from entering into Williamson Act contracts in the County within a one-mile radius of the City's Sphere of Influence.

Patricia Solorio, Future Leaders of America, talked about the approval to sell alcohol at Wal-Mart at the last City Council meeting. She said it was another opportunity to target

youth. She asked the Police Department to enforce existing laws regarding targeting youth.

CONSENT CALENDAR

Mayor Lavagnino announced that there were several changes in Consent Agenda items. Item 3C, Ordinance No. 2009-02 relating to false alarms, needed three words added to the first paragraph to read "operational error or equipment malfunction;" and Item 3F – Technical Amendments, Section 13 of Ordinance No. 2009-03 should read "Building Official" not "Health Officer."

Mayor Lavagnino pulled Item 3G, Uniform Rules for Agricultural Preserves, for discussion.

Mayor Lavagnino read Item D on page 12 of the Uniform Rules for Agricultural Preserves and asked staff to respond to Joan Leon's concerns.

Advance Planner Smith stated that language used to be in State law but had been deleted. He said it did not make much difference to the overall policy and could be deleted.

Councilmember Cordero stated it was confusing to him as it was written.

Mayor Lavagnino stated several of the Williamson Act contracts were negotiated with the County, and the properties have since been annexed into the City. Usually, cities did not have to deal with Williamson Act contracts.

Councilmember Zacarias stated the reason that section was an issue for her was the land around the new Wastewater Treatment Plant. Secondly, she was expecting to see representatives from the agricultural community, specifically Richard Quandt to advise the Council if this would have any impact on the agricultural community. She asked if staff had contacted Richard Quandt and his Association.

Advance Planner Smith replied that staff had worked very closely with the County Agricultural Commissioner and long range planning staff who prepared similar rules for the County. Staff did not contact Mr. Quandt and his Association.

Councilmember Zacarias requested the item be continued for two weeks to allow other members of the community to review the Rules.

Mayor Lavagnino agreed to continue the item for two weeks and directed staff to contact Mr. Quandt.

Councilmember Patino asked that the differences between the City's Rules and the County's Rules be included in the report when it came back.

Consent Calendar Items A through H were approved with the identified corrections to Item 3C and 3F, and Item 3G was continued for two weeks, on motion by Councilmember Zacarias, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Cordero, Orach, Patino, Zacarias, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

A. ORDINANCES

The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of January 6, 2009, were approved as submitted.

C. FALSE ALARM ORDINANCE
Ordinance No. 2009-02 amending Section 5-2.09 of Title 5 of the Santa Maria Municipal Code related to false alarms was introduced by title only for first reading and continued to the next meeting for second reading and adoption, and Resolution No. 2009-08 was adopted authorizing the Police Department to enter into an agreement with PMAM Corporation to administer the City's alarm systems program, including an educational outreach component, through a revenue sharing partnership.

Ordinance No. 2009-02 introduced as corrected. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING SUBSECTION (b) AND REPEALING SUBSECTION (c) OF SECTIONS 5-2.09, "MISUSE AND FALSE ALARMS" OF THE MUNICIPAL CODE.

Resolution No. 2009-08 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE POLICE DEPARTMENT TO ENTER INTO AN AGREEMENT WITH THE PMAM CORPORATION TO ADMINISTER THE CITY'S ALARM SYSTEMS PROGRAM.

D. WARRANTS
Warrant Nos. 147808 to 148021 totaling $4,032,819.34 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 146227 and 147625 were cancelled.

E. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

F. TECHNICAL AMENDMENTS
Ordinance No. 2009-03 making annual minor technical amendments to various sections of the Santa Maria Municipal Code was introduced by title only for first reading and continued to the next meeting for second reading and adoption.

Ordinance No. 2009-03 introduced as corrected. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE SANTA MARIA MUNICIPAL CODE, RELATING TO PERSONNEL, SMOKING POLLUTION CONTROL, CAMPING, TRAFFIC, AND HISTORICAL LANDMARKS.

G. UNIFORM RULES FOR AGRICULTURAL PRESERVES
Resolution No. 2009-09 approving a Negative Declaration of Environmental Impact for E-2008-055 and Resolution No. 2009-10 approving the Uniform Rules for Agricultural Preserves located within the City of Santa Maria were not adopted.

This item was continued to the next regular meeting.

H. CALL FOR BIDS
Council gave approval to call for bids on the plans and specifications for College Drive/Boone Street/Jones Street Intersection Improvements, Bid No. 2009/10.

TOBACCO USE IN THE PARKS
Director of Recreation and Parks Posada gave the staff report. The City Council is asked to consider a recommendation from the Recreation and Parks Commission to make the necessary changes to Chapter 5-7 "Smoking Pollution Control" of the Santa Maria Municipal Code which would prohibit the use of tobacco products in public parks; and should the Council wish to proceed with such an amendment, direct staff to take the

necessary steps to bring the item back to the City Council at a future date for action. In 2007, the Recreation and Parks Commission was asked by concerned park users and healthcare advocates to restrict or prohibit the use of tobacco products in public parks. Staff has researched what other public agencies are doing in this area; worked with public health agencies and non-profit groups to gain insight into the issue; and finally, received community input on the issue at several public meetings. Currently, there are approximately 125 cities and counties in the State of California that have smoke-free park or beach ordinances. The Recreation and Parks Commission conducted a public hearing at its regularly scheduled meeting of August 12, 2008, to receive final community input from both sides of the issue. Comments ranged from banning the use of all tobacco/smoking products to providing designated smoking areas within parks. Reasons stated in support of such a restriction were to protect the health of park users by reducing or eliminating exposure to second-hand smoke and discarding of tobacco products in parks, primarily around and in playgrounds. Those opposed cited the infringement of government regulations into one's personal choices, the problems associated with enforcement of such an ordinance, and the Santa Maria winds being so strong that smoke did not linger in parks most of the time. The State of California in January of 2002 through AB 1867 amended Section 104495 of the Health and Safety Code to prohibit the smoking of a cigarette, cigar, or other tobacco-related products within 25 feet of any playground or tot lot sandbox area. The amendment also prohibits the disposal of cigarette butts, cigar butts, and any other tobacco-related waste in or within 25 feet of a playground or tot lot sandbox area.

He explained that the proposed definition of a "public park" would include property owned by the City and the Redevelopment Agency like areas around City Hall and areas around the mall. He also explained what the alternatives were. While the Commission had recommended a complete ban of all tobacco products in all public parks except for designated areas at the periphery of the parks, staff was recommending a ban on tobacco products in designated areas of the parks such as bleachers, dug-outs, gazebos, and similar locations. The cost for implementation would vary depending on the number of signs that would be required for enforcement at each location. Costs for designated smoking areas could range from $300 to $900.

Councilmember Zacarías asked if the definition of a "public park" was new and could be changed. She said she hadn't thought about the Santa Maria Town Center mall parking garage when reading the definition.

Director Posada explained that it could be changed and that was something staff could do if Council directed staff to prepare an ordinance for presentation at a later date.

Mayor Lavagnino opened the public hearing.

Dan Davis stated he smoked very heavily for a long time and did permanent damage to his lungs. They didn't know how dangerous smoking was when he was younger, but now it was known to be very harmful. He thought it would send the wrong message to have designated areas because it would tell people it was okay to smoke. It was becoming more and more known that smoking is an addictive, dangerous drug.

Sister Janet Corcoran asked that the Council accept the Recreation and Parks Commission recommendation to ban smoking in public parks. The number of cities banning tobacco products in public parks was growing. There was no safe level of second-hand smoke. She talked about asthma and the effect of second-hand smoke on asthma sufferers.

Donna Beal, American Lung Association, asked the Council to make all the City parks tobacco free. She talked about the number of speakers at the Recreation and Parks Commission meetings who wanted tobacco-free parks. She said the draft ordinance before the Council did not convey the Commission's direction to revisit the issue in one year with the intent to eventually make all parks tobacco free.

Victoria Huber, Future Leaders of America, stated she felt a 100 percent ban of tobacco products in City parks would be a huge advance for the community. It would send a

clear message to the youth of the community. She said having designated areas for smokers was confusing and gave the impression that smoking was okay.

Ivano Maratas and Stephany Ramirez, Santa Maria High School Key Club, displayed two large containers of cigarette butts collected from City parks. They said more than 80 percent of the population in Santa Maria surveyed wanted the tobacco ban. If youth were not allowed to smoke in schools, they should not be allowed to smoke in parks.

Bob Cardona spoke in opposition to a complete smoking ban. State law outlines designated areas for smoking. There have been no citations issued so far in the City. It really depended on respect for each other. It was not against the law to smoke cigarettes, and he had rights as a member of the community.

Trina Long, County Tobacco Prevention Program, submitted results from a local public opinion survey. Eighty-three percent of the people surveyed preferred a ban of smoking in City parks. The cigarette butts previously displayed were only from four public parks in the City. They were collected in about one hour. Cigarette butts were not biodegradable. It was not just the issue of second-hand smoke.

Ernest Armenta stated he was a smoker. He knew it was a terrible habit, and he had tried to quit. He had no problem enforcing State law around play grounds and tot lots, but he could not support a total ban. He preferred having designated areas rather than an all out ban.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

Mayor Lavagnino stated he was not in favor of a total ban against tobacco in City parks. A ban was totally unenforceable. It would be a very low priority for the Police Department. Smoking was not illegal. Cigarette smokers were tax payers and pay to enjoy the parks the City provides. They had the right to use the parks. He could see banning smoking in small, closed areas. He would agree with banning tobacco products in designated areas as specified in Alternative 3; although, even that would not be enforceable. However, it would be a reasonable alternative. He said in his opinion the Council would be legislating morality.

Councilmember Zacarías asked if the City allowed people to drink alcohol in City parks.

Director of Recreation and Parks Posada explained that alcohol in parks was legal unless posted otherwise. About 30 percent of the parks were posted for no alcohol consumption. Those were parks that the Police Department and Recreation and Parks Department had agreed were a patrol problem and created issues in the neighborhood. The possession of an open container of alcohol in public was against the law. However, there were permits issued to people who wished to have alcohol for special events in public parks.

Councilmember Zacarías asked for a copy of the regulations because she understood that alcohol was not allowed in City parks. She also asked if a total ban would allow people to smoke in their cars.

Director Posada explained that the Council could amend the draft ordinance to address that.

Councilmember Zacarías stated she believed that it would be more cost-effective to have a total ban. She felt smokers had a right to smoke but not infringe on her right to breathe clean air or a child's right to breathe clean air. If the City was saying it could not enforce the ordinance, then they were talking about shifting the values of the community. When eighty percent of people surveyed in the community supported a total ban, she was going to support that. She did not want to have an "ash-tray" park. If not a complete ban, she wanted to support the Commission's recommendation to come back in one year and see if it is working.

Councilmember Patino stated she was not a smoker and didn't like going to places where people smoked. At the same time, everyone did things that were not healthy. She appreciated a considerate smoker and felt the Council needed to respect the rights of everyone. It was not against the law to smoke. She did not want to make smokers feel like criminals. She wouldn't have a problem designating certain parks as smoke-free parks. The Council knew that the Police Department would not respond to someone smoking in the parks. Then people would be angry when the Police Department did not respond.

Councilmember Cordero stated it seemed that even if there were designated places, it would still be an enforcement issue. It would be very difficult to take an enforcement stance. He thought that banning tobacco products was where society was heading; and the Council could be a part of that by changing the rules now or play catch up in the years to come. He was leaning toward no smoking at all in any of the City parks and facilities.

Councilmember Orach stated tobacco use was a great health issue. In the realm of healthy lifestyles, smoking was one issue but so was drinking and poor eating habits. Litter was a significant issue in City parks; but cigarette butts were probably minuscule compared to food wrappers, drinking containers and chewing gum. All citizens had the right to use the City's parks. Designated areas would give smokers an opportunity to enjoy the parks. He was in favor of establishing designated areas in all parks that would accommodate those who smoke.

Mayor Lavagnino moved to approve Alternative 3, banning tobacco products in designated areas of the parks. The motion died for lack of a second.

Councilmember Patino stated she didn't think one size fits all in the City parks. Parks like Rotary Centennial Park had everything in close proximity, while at Preisker Park things were farther away from each other. She thought Rotary Centennial Park would be perfect as a smoke-free park. Preisker Park could have designated areas for smoking.

Councilmember Zacarias moved to approve the recommendation of the Recreation and Parks Commission to ban smoking in all City parks except in designated areas along the perimeters of the parks.

Councilmember Cordero seconded the motion.

Councilmember Zacarías stated she had a question on the motion and asked if the direction to staff to prepare an ordinance implementing the Recreation and Parks Commission's recommendation would allow the Council the opportunity to make changes such as in the definition of "public park" or to address situations in particular parks where it might not have to be on the perimeter but could be flexible in designating it on a park-by-park basis.

City Attorney Trujillo stated the action of the Council tonight was to provide direction to staff on one of the options. If the direction was to prepare a draft ordinance for Council consideration at a later date, the Council would have the opportunity to make additional changes. At this point, staff was looking for broad policy direction.

The motion carried on the following vote:

AYES: Councilmembers Cordero, Orach, Zacarías
NOES: Councilmember Patino, Mayor Lavagnino
ABSENT: None
ABSTAIN: None

Director Posada stated the draft ordinance in the Council's packet was just a draft. He asked if there were any other items the Council wished staff to address in the draft ordinance.

Mayor Lavagnino stated "parks" needed to be better defined.

Director Posada explained that language could also be included on who could decide the location of the designated areas.

Councilmember Zacarías stated she didn't like the idea of some parks being smoke free and others not, but it was important to look at each park because they were designed differently.

Councilmember Patino stated she wanted where smoking was allowed to be park specific because each park was so different.

MORATORIUM ON FLOWER VENDORS

Assistant City Attorney Sinco gave the staff report. On August 19, 2008, the City Attorney's Office presented a staff report regarding the City's regulations concerning outdoor display and sale of merchandise, including the legality of prohibiting outdoor floral sales. At that meeting, the City Council announced its intention to prohibit temporary outdoor display and sale of flowers. Staff is currently processing a permanent zoning ordinance to ban temporary floral sales. The Planning Commission will hear that ordinance on January 21, 2009. If the Commission acts on the ordinance on that date, the Council will receive the ordinance for consideration on February 3, 2009. Staff has also prepared an interim, urgency ordinance which would place a moratorium on temporary outdoor display and sale of flowers in effect immediately. Otherwise, the prohibition against outdoor flower sales would not be in effect before Valentine's Day, historically a day where outdoor flower sales occur in great numbers in the City. An urgency ordinance is based on findings of immediate need to preserve the public peace, health or safety. [Parr v. Municipal Court (1971) 3 Cal.3d 861.] The recommended ordinance contains such findings. Courts have consistently recognized the validity of urgency, interim moratorium ordinances for zoning matters. [Miller v. Board of Public Works (1925) 195 Cal. 477.] In addition, a city council may properly consider aesthetics as an element of the public health in making the findings required for an urgency ordinance. [Crown Motors v. City of Redding (1991) 232 Cal.App.3d 173.] In the case of flower sales, the Council has received testimony that flower sales on the street corners are in direct competition with established businesses; street flower sales occur on almost every corner and out of cars on holidays, creating an unfair business climate for florist shop owners; and having flower vendors on every street corner on holidays is not attractive for the City. Current City laws allow on-site temporary outdoor display and sale of merchandise by established businesses, provided such sales occur no more than once per calendar quarter and last no more than 72 consecutive hours. The proposed ordinance clarifies that the type of merchandise that is displayed and sold by established businesses during temporary outdoor sales events must be of the type "usually and customarily sold by the established business." This clarification does not otherwise change existing City regulations regarding the outdoor display and sale of merchandise. Accordingly, established businesses in the City that sell flowers would continue to be allowed to have temporary outdoor display and sale of flowers so long as it occurs on the same property as the business and does not occur more than once per calendar quarter.

Councilmember Patino asked if staff had notified the people who put on the Farmer's Market of this ordinance.

Assistant City Attorney Sinco stated staff had not notified them but had no intentions of disrupting their operations. Staff just wanted to address the issue in the Municipal Code that currently prohibits outdoor sales of fruits and vegetables and would be inserting an exception for certified Farmer's Markets in the ordinance.

Mayor Lavagnino opened the public hearing.

Bill Tomasini spoke in favor of the ordinance. He said the flower vendors were unfair competition to the retail florists who pay rent, taxes, insurance, and have employees. These people were not paying rent or taxes. They came in and just scooped up money. Valentines Day and Mothers Day were two of the most critical holidays to retail florists.

The residents of the community were always trying to improve the community, and these people who set up on street corners and from the backs of their cars or trailers did not improve the community.

Joe Goldberg thanked the Council for bringing this ordinance forward. He did not know where the flowers came from; however, he caught some of his employees trying to steal flowers from him to sell on the street corners. The street vendors make the City look like trash. The flower industry depends on these big holidays like Valentines Day and Mothers Day. He asked that the City make sure there were enforcement officers out for Valentines Day, which was on Saturday this year, to cite vendors.

Ernest Armenta stated there wasn't anything wrong with buying your favorite girl some pretty flowers for putting up with you. There was nothing wrong with buying flowers from someone hustling on a street corner. He asked why the florists were not out on the street corners hustling. Competition was good. The florists couldn't compete because their prices were too high.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

City Attorney Trujillo stated there were three grounds for a moratorium. One was aesthetics, and there was plenty of evidence in the record to support that. The second was competition with brick and mortar businesses; and, again, there was plenty of evidence to support that. The third ground was traffic safety, and he recommended that the Public Works Director or Police Chief put into the record their concerns with traffic safety.

Chief of Police Macagni stated the street corner vendors were a traffic hazard. What the Police Department had seen with street corner vendors was people stopping in the street in no stopping zones to buy flowers. The vendors came out to the cars creating a traffic hazard. Traffic was one of the major problems in the City, and street vendors added to that problem. The Police Department supported the ordinance.

Councilmember Zacarías stated this had been important to her for a long time. She did not think street vendors had a place in the City. She supported the brick and mortar businesses and the paying of sales tax and safe streets. She challenged the florists to provide some lower-cost floral arrangements.

Councilmember Cordero stated in researching this issue, it was a concern that the Council would be telling these people they could not come to Santa Maria and sell their flowers. Whether it was this holiday or the next holiday, it would still cause a problem for these people.

Ordinance No. 2009-04 establishing a moratorium on the temporary outdoor display and sale of flowers was introduced by title only and adopted on motion by Councilmember Patino, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2009-04 introduced and adopted. AN INTERIM, URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA AMENDING SECTIONS 12-35-302 AND 12-43.01 OF CHAPTER 12 OF THE SANTA MARIA MUNICIPAL CODE TO PROHIBIT THE TEMPORARY OUTDOOR DISPLAY FOR SALE OF FLOWERS.

MAYOR LAVAGNINO CONVENED A JOINT MEETING OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY.

ROLL CALL: Councilmember Cordero, Orach, Patino, Zacarías and Mayor Lavagnino were present

ROLL CALL: Board Member Cordero, Orach, Patino, Zacarías and Chairperson Lavagnino were present

IMPLEMENTATION PROGRAM AND MINOR TECHNICAL AMENDMENTS FOR THE DOWNTOWN SPECIFIC PLAN GENERALLY LOCATED NORTH OF MORRISON AVENUE, SOUTH OF FESLER STREET, EAST OF PINE STREET AND WEST OF SCHOOL STREET, FILE NOS. SPZ-2004-001, E-2004-001.

Planner III Halverson gave the staff report. On November 4, 2008, the City Council and Redevelopment Agency adopted the Downtown Specific Plan. At that time, the City Council and Redevelopment Agency directed staff to develop an Implementation Program wherein the Planning Commission, City Council and Redevelopment Agency would retain approval authority for all new development projects greater than 5,000 square feet of floor area within the Specific Plan area. On December 17, 2008, the Planning Commission conducted a public hearing and voted 5-0 to recommend approval of the Implementation Program and technical amendments. The proposed amendments would define which actions regarding property require approval from the City; define the responsibilities of the Zoning Administrator for projects less than 5,000 square feet of floor area; define the responsibilities of the City Council and Redevelopment Agency for projects greater than 5,000 square feet of floor area; and define the responsibilities of the Planning Commission. In addition, minor technical changes to several sections of the Downtown Specific Plan were also proposed.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Joint Ordinance No. 2009-05 and 2009-01 approving revisions to the Downtown Specific Plan was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember/Boardmember Orach, seconded by Councilmember/Boardmember Patino, and carried on the following vote:

AYES: Councilmembers and Boardmembers Cordero, Orach, Patino, Zacarías, and Mayor and Chairperson Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Joint Ordinance No. 2009-05 and 2009-01 introduced. AN ORDINANCE OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING REVISIONS TO THE DOWNTOWN SPECIFIC PLAN, FILE NO. SPZ-2004-001, E-2004-001.

MAYOR LAVAGNINO ADJOURNED THE JOINT CITY COUNCIL AND REDEVELOPMENT AGENCY MEETING AND RECONVENED THE REGULAR CITY COUNCIL MEETING.

CITY MANAGER'S REPORT

City Manager Ness reported on anticipated items for the February 3, 2009, City Council meeting including resolutions for retiring Fire Engineer Bill Good and Fire Captain Ron Moore, and Recreation and Parks Commissioner Sister Janet Corcoran and Block Grants Advisory Committee Member Roxanne Ventriglia; a public hearing for the permanent Zoning Text Amendment related to the outdoor display and sale of flowers; the McCoy Lane Traffic Report; an appointment to the Code Compliance Board; a Voluntary Time Off Program; and the second quarter financial report.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Cordero reported that he attended the enrobing for Judge Beebe, the Fire Appreciation Dinner on January 7th, a retirement party for Officer Maria Geise, the McCoy workshop on January 12th, a meeting with Miss Beal on the smoking issue on January 13th, and a meeting in San Luis Obispo regarding the possible options for

McCoy Lane on January 16th. On January 17th, he attended a gathering for the new Superintendent of Schools, and another retirement dinner for a Police Officer.

Councilmember Patino attended the Fire Protection Appreciation Night at the Elks Club on January 7th, the McCoy Lane workshop on January 12th, and a meeting with Donna Beal. She talked about the Presidential Inauguration. She felt it was important for the Council to spend the people's money wisely and do away with petty politics as President Obama suggested.

Councilmember Zacarías stated she represented the City at the Martin Luther King celebration in Santa Maria and in Santa Barbara. She announced that she was now a member of the Child Care Planning Council for Santa Barbara County. She would be reporting back to the City Council as the Planning Council continued to work to improve the quality and quantity of childcare spaces in the County.

Councilmember Orach stated today was a great day in the Council Chambers because people got involved in an issue. Getting involved and taking initiative was what President Obama indicated was needed.

Mayor Lavagnino reported he attended the Fire Appreciation Dinner at the Elks Club on January 7th, Curtis Tunnell's speech at Shepard Hall on the history of Santa Maria on January 10th, the McCoy Lane workshop on January 12th, a meeting with Rich Krumholtz and Steve Price from the Caltrans Traffic Division on January 16th, and a PG&E photo shot as they presented the City with $50,000 to study solar power for the swimming pool. He announced he would be going back to Washington, D.C. on February 15th regarding the Santa Maria River Levee.

CLOSED SESSION:
Council recessed to a Closed Session at 9:00 p.m. for Conference with Labor Negotiators pursuant to Section 54957.6 of the Government Code: Agency Representative: Assistant City Manager, Employee Organization: Santa Maria Police Officers Association (SMPOA).

After the Closed Session, the following report was given:

Conference with Labor Negotiators
SMPOA: Direction to staff was given.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned by Mayor Lavagnino at 9:47 p.m.

APPROVED

February 3, 2009
Date

Patricia A. Perez
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST

Patricia A. Perez
Chief Deputy City Clerk

S. Lavagnino
Mayor of the City of Santa Maria